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Talk business. The coming advertisement will not be "funny" or "catchy."—Printer's Ink.

## DEBATE BEGINS ON SMOOT CASE

Senator Burrows of Michigan Attacks Right of Utah Senator to His Seat.

## GALLERIES ARE CROWDED

Republicans and Democrats Listen to the Arraignment With Close Attention.

## HISTORY OF THE MORMONS

SMOOT CHARGED WITH SUSTAINING POLYGAMY.

(Special to The Herald.)  
Washington, D. C., Dec. 11.—When Senator Burrows, chairman of the committee on privileges and elections of the senate, commenced about 1 o'clock today to deliver his speech in advocacy of the expulsion of Reed Smoot from his seat in the senate, members of both sides of the chamber began to gather about him, securing seats as close as possible and forming a group of attentive listeners, including such notable members of the senate as Spooner, Aldrich, Hale, Foraker, Lodge, Teller, Cullerton, Blackburn and Burnham, and others, Democrats and Republicans. So many Democrats crowded over and took seats on the Republican side of the chamber that nearly the entire membership of the senate was for once on the Republican side.

**Smoot Never Wincing.**  
The interest manifested in Senator Burrows' speech was shown by the fact that nearly all of the senators who gathered about him remained in the chamber throughout the entire three hours of its delivery, even though a large part of the speech was historical in character and its substance known to many senators familiar with Mormon history. Both of Utah's senators were present, Senator Smoot sitting within twenty feet of Burrows and in the direction he most frequently turned his attention and gazed while delivering his remarks. Smoot never left the senate chamber while Burrows was speaking, and sat throughout the speech without changing countenance or showing any emotion, feeling, or even when Burrows' denunciations of the Mormon hierarchy were most emphatic.

**Howell Was Present.**  
Representative Howell also was a listener, and during the course of the speech many other house members came in and listened. The galleries were filled during the entire time of the speech. In the senator's gallery were Mrs. Burrows, Mrs. Dubois, Mrs. Schoff and other ladies interested in the anti-Mormon side of the question. At the close of Senator Burrows' masterly peroration there was no demonstration of applause in the gallery, which, although against the rules, often follows a speech on some absorbing question, such as the one discussed today.

**Dubois Speaks Thursday.**  
When Burrows finished he was asked by Senator Foraker, who is expected to lead the defense for Smoot, what arrangement had been made or was desired for future procedure. Burrows stated in response that beyond setting aside Thursday afternoon for a speech by Senator Dubois, no further arrangements had been made. After this speech he would ask for a day for a vote on the resolution proposed by the committee declaring that Smoot was not entitled to a seat in the senate, and the declaration of this would, of course, depend somewhat on the wishes of members of the senate who intended speaking for or against Smoot. Senator Burrows read his speech today, following closely the matter as formulated in his manuscript. Early in his remarks he absolved Smoot from the charge of polygamy, saying, "This relieves the inquiry of its personal character, always distressing, and Senator Smoot stands before the senate in personal character and bearing above criticism and beyond reproach, and if found disqualified for membership in this body, it must be upon grounds and from other considerations."

**History of Mormon Church.**  
Burrows devoted the introductory portion of his speech to a succinct chronological history of the Mormon church from the date of its organization in 1830 to the present day. He characterized that branch of the Mormon church which has never taken up polygamy as composed of patriotic, law-abiding citizens, who have conformed to the laws of their country and have adhered to the faith of the founder of their creed. He went into many details of the administration of Brigham Young as governor, president of the church and originator of the practice of polygamy, reciting with effect the text of the revelation authorizing and commanding polygamy as promulgated by Young, who falsely attributed its authorship to Joseph Smith.

**Utah's Political History.**  
Later the political history of Utah and connection of the church with political and commercial affairs of the state were brought out by vividness of Burrows, who contended that in the history of the state the Smoot case was the only one in which the Mormon hierarchy, of which Smoot is a member, uses its authority to inculcate and encourage a belief in polygamy and polygamous cohabitation, and honors those who violate the laws prohibiting such crimes. He said: "Smoot, born and bred in Utah and identified with the Mormon organization from childhood—instructed and nurtured in its doctrines—could not have been ignorant of the character of this hier-

## SENATOR JULIUS CAESAR BURROWS.



## Reasons Advanced by Burrows

That Senator Smoot is disqualified from holding a seat in the senate of the United States for the reason:  
First—That at the time of his election the state of Utah and the legislature thereof were under the complete domination of the Mormon hierarchy, of which he is a member, and that such hierarchy so far "interfered with the functions of the state as to secure the election of one of its own members and an apostle, and that his certificate of election by the legislature was only the recorded edict of the hierarchy in defiance of the constitutional prohibition that "no shall dominate the state nor interfere with its functions."  
Second—That this Mormon hierarchy, of which the senator is a conspicuous member, inculcates and encourages belief in and the practice of polygamy and polygamous cohabitation in violation of the laws of the state prohibiting the same and in disregard of pledges made for its suppression; and  
Third—That the senator, in connection with and as a member of such organization, has taken an oath of hostility to the government of the United States incompatible with his obligation as a senator.

## REBATING COMES HIGH THESE DAYS

Sugar Refining Company and Cooperage Company Fined an Aggregate of \$150,000.

New York, Dec. 11.—Fines aggregating \$150,000 were imposed today by Judge Holt in the United States circuit court upon the American Sugar Refining company and the Brooklyn Cooperage company after the defendants, through counsel, had pleaded guilty to indictments charging rebating in violation of the Elkins anti-rebating act. The sugar refining company was fined \$80,000 and the cooperage company \$70,000.

After the fines were imposed, United States District Attorney Smith, who conducted the prosecution, told the court that he thought the amount of the fine assessed was sufficiently large to act as a deterrent to rebaters in the future, and that the government would consent to the remainder of the indictments against the American Sugar Refining company and the Brooklyn Cooperage company being dismissed. Judge Holt granted a motion dismissing the other indictments.

## ENTOMBED MAN IS ALIVE

L. B. Hicks, Under Seventy Feet of Debris, Receives Nourishment Through a Pipe.

Bakersfield, Cal., Dec. 11.—L. B. Hicks, one of the six workmen who were buried under tons of earth at Edison on Friday last, is still alive and well, and through a two-inch pipe forced through seventy feet of debris is in communication with the big force of rescuers that is working frantically for his release. Hicks informed the rescue party through the pipe this afternoon that he had talked with his companions for two hours after the cave-in on Friday, but that he had heard no signals from them since. He supposes they are dead.

Food and water were passed to Hicks this afternoon and, barring accidents, his rescue will soon be effected. The imprisoned man, through the pipe told those on the surface that he is beneath a car in the debris, and that he owes his life to the protection thus afforded him. He is in the blackest of darkness. It was he who answered the signals yesterday, and he has heard nothing from his comrades since Friday morning.

**SUICIDE AT SEA.**  
Seattle, Dec. 11.—John Smith, a passenger on the steamship Umatilla, committed suicide by shooting himself shortly after the vessel sailed from San Francisco three days ago. Upon the arrival of the vessel in port this afternoon the body was taken in charge by Coroner Carroll. It is believed that the dead man assumed the name of John Smith before boarding the Umatilla.

## TRIAL JURY SECURED.

Portland, Dec. 11.—After examining thirty-five veniremen a jury was secured today in the case of Orlando S. Murray, charged with the murder of Lincoln Whitney, No. 2, because the latter refused to marry Murray's young sister. All but one of the jurors are married and have daughters.

## VICTIM OF CIGARETTES.

Chicago, Dec. 11.—Julius Persky, of Hammond, Ind., died tonight from excessive smoking of cigarettes. He said that he had smoked 50,000 cigarettes during his lifetime. His only sustenance for three months had been diluted alcohol and cigarettes.

## MEXICO SAID TO BE RESPONSIBLE

Senator Flint Complains to War Department About Colorado River Break.

Washington, Dec. 11.—Senator Flint of California today called at the state department to make representations concerning the Salton sea, in the Colorado river desert, and to request the department to make a demand upon the Mexican government immediately to repair the damage that has been done at the outlet of the Imperial canal. While watering lands in California that canal is taken out of the Colorado river on the Mexican side of the international boundary line, and the senator takes the position that the break in the river bank is due to the failure of the Mexican government to exercise proper supervision over the construction of the canal. He was accompanied by Director Wolcott of the geological survey, who also took the position that the Mexican government should be held responsible for the damage done. Their interview was with Assistant Secretary Bacon, who promised to communicate with the American ambassador to Mexico.

Senator Flint called special attention to the fact that there has recently been a new break in the canal and that apparently the damage has gone beyond the possibility of repair by the people interested. He said that from 20 to 30 percent of the water of the river is again leaving the channel and that unless this is checked he turned back there would be losses to property amounting to millions of dollars.

## Will Try Once More.

Imperial, Cal., Dec. 11.—Announcement has just been received that the Southern Pacific will begin work immediately to close the break in the Colorado river. A new system will be placed on the Colorado river, and a month ago there has been no doubt of the ability to shut out the water. The weakness shown heretofore has been in the system of dykes. A new system will be placed in the neighborhood of \$2,000,000. It will extend thirty miles parallel to the river. It is probable that there will be double the closure may be effected within seventy-five days. It is not apprehended that there will be any interruption of farms in the vicinity.

## SALT LAKE RAILWAY MUST MOVE BRIDGE

Los Angeles, Dec. 11.—The San Pedro, Los Angeles & Salt Lake railroad was officially notified by the war department at Washington today that the company must remove its bridge at the mouth of the San Gabriel river near Long Beach, which, it is contended, is restricting navigation. The bridge extends from the main line at this point to Terminal island. The Los Angeles Dock & Terminal company, which is building an inner harbor at Long Beach, has been attempting through the courts to force the railroad company to remove its bridge, but without effect. The company is given nine months by the war department to remove the bridge entirely or replace it with one of two patterns of drawbridge.

## ROOSEVELT COMMENDED.

Little Rock, Ark., Dec. 11.—The Arkansas State Guard association, an organization including all officers of the Arkansas state guard, adopted a resolution today, commending President Roosevelt for the action taken in dismissing negro soldiers.

## VESSELS CAUGHT IN ICE.

Detroit, Mich., Dec. 11.—The ice block at Sault Ste. Marie, which was thought to have been effectively broken yesterday, is on again, and thirty-nine down-bound vessels are imprisoned, with nearly as large an up-bound fleet also caught in the ice.

## POPE'S SEVERE BY THE REPUBLIC

France Cuts Loose From Holy See After Close Connection for 1,000 Years.

## NO HOPE OF COMPROMISE

Monsignor Montagnini, Secretary of Papal Nunciature, Escorted to Frontier.

## CONSTERNATION AT ROME

POPE SITS UP ANXIOUSLY AWAITING TELEGRAMS.

Paris, Dec. 12.—A government circular issued today grants twenty-four hours of grace to the churches of Paris, at the expiration of which time the law of separation will become fully operative. The state nor interfere with its functions.  
Paris, Dec. 11.—Monsignor Montagnini, secretary of the papal nunciature here since the recall of the nuncio, was arrested this afternoon upon an order expelling him from France, and tonight, accompanied by a commissary of police, departed for the Italian frontier. The residence of Mgr. Montagnini was searched by the police. Immense quantities of documents found in the nunciature were seized and taken to police headquarters.  
A courier from the papal secretary of state, Cardinal Merry del Val, bearing dispatches from Rome, was turned back at the frontier today.

## CANNOT RETALIATE.

Expulsion Causes Astonishment and Consternation at Vatican.

Rome, Dec. 11.—The expulsion from France of Mgr. Montagnini, secretary of the papal nunciature at Paris, who has represented the vatican at the French capital since the recall of the nuncio has caused not only astonishment but consternation at the vatican. According to vatican officials, the step is an evident proof that the French government wishes not only to strike at the church as a religious institution, but to represent it as an enemy of the republic and allied with the republic's foes.

Furthermore, the officials characterized this step as taken in a spirit of meanness, as the French government knows the vatican cannot, because of its position, indulge in similar action as a reprisal with the individual who is looking after French interests in Rome. The fact that diplomatic relations between France and the vatican were ruptured two years ago adds to the difficulty of the vatican. M. Nicard, the last ambassador of France to the vatican, left Rome in 1904. Monsignor Montagnini stayed in Paris after the departure of the papal nuncio, in order to deal with certain matters pending between France and the church. It is believed here tonight that possibly Monsignor Montagnini remained in Paris too long.

A curious phase of the situation is that, Monsignor Montagnini being an Italian subject, any protest against his expulsion or the searching of his house must be communicated to the French government through the Italian government.

## AFTER 1,000 YEARS.

Bond Which United France to Rome Is Severed.

Paris, Dec. 11.—This is an historic day for France. The struggle which began in 1800 with the banishment of the Jesuits ended today with the legal rupture of the bond which for practically a thousand uninterrupted years has united church and state. By refusing to make the required declarations under the public meeting law of 1881, public Catholic worship is prohibited by a schismatic organization tomorrow becomes illegal. The scenes in some of the churches were extremely such, and many years ago the church had been abandoned by the people. The number of women was especially large and was noteworthy as indicating the religious indifference of the male population. Although seven-eighths of the inhabitants of this city are non-Catholics, in many parts of the city were the churches crowded. Even at Notre Dame cathedral, where solemn high mass was celebrated, the edifice was only half filled.

## Women in Tears.

The officiating clergy read the regular offices for the week as usual, without referring to their illegal status tomorrow. Nevertheless the depression of the Catholics was manifest. Many women emerged from the cathedral, their eyes streaming with tears, and lingered on the pavement to discuss with to do when the clergy are turned out of their churches. The scene of the week of the struggle, it is becoming more apparent that both the government officials and higher ecclesiastics are resisting the advice of the temperate. Minister of Public Worship Briand announces that the government "cannot be drawn into the religious quarrels of the churches." Cardinal Richelieu, archbishop of Paris, has strongly censured the placarding of appeals to the clerics to make violent resistance to the officers.

## Passive Resistance.

"No violence," he says, "but passive resistance to the unjust law, after exhausting all protests at every step." This is the disposition of the Catholics, and their followers evidently have no intention to submit, and are preparing to assume the role of martyrs, abandon the churches and organize private worship.

Cardinal Richelieu and many of the bishops have already begun the removal of their private effects from the episcopal mansions, and the clergy are preparing to leave their rectories and move into hired lodgings. It is announced that the parish priests have received many offers of places in which to hold religious services, but there is not the slightest indication that they intend to take advantage of the sole remaining chance to

Continued on Page 3.

## PIUS X, ROMAN CATHOLIC PONTIFF.



Cardinal Giuseppe Saracini was born at Riese, province of Venice, June 2, 1833. He was created cardinal and patriarch of Venice June 12, 1892. He is learned in the ecclesiastical doctrines, is modest, energetic, a good administrator and organizer, a patron of the arts, and his seriousness always has been proverbial. The present crisis in France is due to the refusal of Pius X to allow the French clergy to obey the law regarding the separation of church and state.

## FLEW TOO HIGH FOR HIS MEANS

Daniel F. Raum, Son of Ex-Commissioner of Pensions, Arrested for Forgery.

Peoria, Ill., Dec. 11.—Daniel F. Raum, one of the most prominent lawyers of this city, and a son of Green B. Raum, ex-commissioner of pensions of the United States, stands accused of being a forger in the sum of \$10,000. It is charged that he executed false mortgages on Knox county land. F. O. Cunningham, a money broker, is the complainant. Raum surrendered today to the state's attorney, admitted his guilt and was immediately placed in the county jail.

Raum entered the office of State's Attorney Scholes. "I am a forger," he said, and delivered himself over to the authorities. He was willing to make a confession and sign his name to a written document.

## Travelled Too Fast.

He told a story of traveling with a class in society which required more than beyond his own. He detailed how he had committed his first crime to secure money for his living expenses. He could not meet the forgery when he had expected to and another regretted.

## RED CROSS ACCOUNTS ARE TO BE AUDITED

San Francisco, Dec. 11.—The San Francisco relief and Red Cross funds corporation received from Washington today word that Major Torrey of the United States army and W. H. Kent have been ordered here by the National Red Cross society to audit the accounts of the relief funds. The work is to be done at the request of the local corporation, F. W. Dohrmann having made the request while in Washington recently. It was first intended to audit only those funds which came within the jurisdiction of the Red Cross society, but the corporation asked that the scope of the work be extended so as to include an examination of all the relief accounts.

## NO FURTHER LOAN.

Paris, Dec. 11.—In the course of the foreign loan debate in the chamber of deputies tonight, Minister of Foreign Affairs Pichon declared that the question of a further Russian loan had not arisen and would not arise.

## POWDER FACTORY SITE.

Washington, Dec. 11.—The war department has selected the site for the government powder factory, for which congress appropriated \$165,000 the last session, in Dover, N. J.

## SHAH IS SINKING.

Tehran, Dec. 11.—Later this evening the shah's condition took an unfavorable turn, during which he had spells of fainting.

## ARTHUR BROWN DOOMED TO DIE

Latest Reports From Washington Indicate That the End Is Very Near.

## RELATIVES AT BEDSIDE

Dying Man Refused to Make Autopsy Statement to the District Attorney.

## SANITY OF MRS. BRADLEY

THE GOVERNMENT PHYSICIAN MAKES EXAMINATION.

Washington, Dec. 12.—At 2:30 o'clock this morning former Senator Arthur Brown was still alive, but the physicians stated that his death might be expected momentarily. His temperature then was 101, and his pulse was 152.

## DYING AT 4 O'CLOCK.

(Special to The Herald.)  
Washington, D. C., Dec. 12.—At 4:30 this morning Brown's condition was such that there is no possible hope of his recovery. It is expected he will not live two hours.

(Special to The Herald.)  
Washington, Dec. 11.—Former United States Senator Arthur Brown, who was shot down in his room at the Raleigh hotel last Saturday by Mrs. Anna M. Bradley, is gradually sinking, and his death may occur at any moment.

According to a bulletin given at 7:45 o'clock at the emergency hospital, the senator's physicians do not expect the patient to live through the night.

## Saline Solution Given.

At 11 o'clock tonight Dr. Charles F. White, superintendent of the emergency hospital, stated that it was doubtful if former Senator Brown could live until tomorrow morning. A decided change in Brown's condition occurred about 4 o'clock this afternoon, when he became partially unconscious and his pulse and temperature both increased in an alarming degree. Drs. Carr and Sutton, who had immediate charge of the case, gave the patient an infusion of salt solution, which gave temporary relief. The effects of this are now wearing off and another infusion will be necessary to further prolong his life. Immediately upon the change in Brown's condition, the change in Brown's condition occurred about 4 o'clock this afternoon, when he became partially unconscious and his pulse and temperature both increased in an alarming degree. Drs. Carr and Sutton, who had immediate charge of the case, gave the patient an infusion of salt solution, which gave temporary relief. 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